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Vienna, 10 - 28 June 1991

PROVISIONAL AGENDA, ANNOTATIONS THERETO AND SCHEDULING OF MEETINGS OF THE TWENTY-FOURTH SESSION

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II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1. Opening of the session

The twenty-fourth session will be held at the Vienna International Centre from 10 to 28 June 1991. The session will be opened on Monday, 10 June 1991, at 10:30 a.m. The Commission is composed of the following member States: Argentina, Bulgaria, Cameroon, Canada, Chile, China, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Egypt, France, Germany, Hungary, India, Iran (Islamic Republic of), Iraq, Italy, Japan, Kenya, Lesotho, Libyan Arab Jamahiriya, Mexico, Morocco, Netherlands, Nigeria, Sierra Leone, Singapore, Spain, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Yugoslavia.

Item 2. Election of officers

Pursuant to a decision taken by the Commission at its first session, the Commission elects, for each session, a Chairman, three Vice-Chairmen and a Rapporteur.

Item 3. Adoption of the agenda

It is suggested that all items be considered in plenary.

Item 4. International payments: draft Model Law on International Credit Transfers

At its nineteenth session (1986) the Commission decided to begin the preparation of model rules on electronic funds transfers and to entrust that task to the Working Group on International Negotiable Instruments, which it renamed the Working Group on International Payments (A/41/17, para. 230). The draft text prepared by the Working Group was subsequently renamed the draft Model Law on International Credit Tranfers. The Working Group held its twenty-first session in New York from 9 to 20 July 1990 and its twenty-second session at Vienna from 26 November to 7 December 1990. The Commission will have before it the reports of the Working Group (A/CN.9/341 and A/CN.9/344, respectively).

The Commission at its twenty-third session (1990) expressed its confidence that a text could be presented by the Working Group to the Commission for its consideration at its twenty-fourth session (A/45/17, para. 25). The text presented to the Commission by the Working Group is contained in the annex to the report of the Working Group at its twenty-second session, A/CN.9/344. The draft text of the Model Law was circulated to Governments and interested international organizations for comment. The Comments received are reproduced in A/CN.9/347. A commentary on the draft Model Law prepared by the Secretariat is in A/CN.9/346.

Item 5. New international economic order: draft Model Law on Procurement

The Commission, at its nineteenth session (1986), decided to undertake work in the area of procurement and entrusted the subject to the Working Group on the New International Economic Order (A/41/17, para. 243). The Working Group commenced its work at its tenth session. The Commission will have before it the report of the Working Group on the work of its twelfth session, held at Vienna from 8 to 20 October 1990 (A/CN.9/343).

Item 6. International contract practices: draft Uniform Law on Guarantees and stand-by Letters of Credit

The Commission, at its twenty-second session (1989), decided that work on a uniform law on guarantees and stand-by letters of credit should be undertaken (A/44/17, para. 244). The Working Group commenced its work on this topic at its thirteenth session. The Working Group held its fourteenth session at Vienna from 3 to 14 September 1990 and its fifteenth session from 13 to 24 May 1990 in New York. The Commission will have before it the reports of the Working Group (A/CN.9/342 and 345, respectively).

Item 7. Countertrade

The Commission, at its twenty-second session (1989), decided that a legal guide on drawing up international coutertrade contracts should be prepared (A/44/17, para. 249). The Commission, at its twenty-third session (1990), considered seven draft chapters that had been prepared by the Secretariat and decided that the remaining draft chapters to be prepared by the Secretariat should be submitted to the twenty-third session of the Working Group on International Payments in New York from 3 to 13 September 1991 (A/45/17, paras. 11 to 18). An oral report on the state of preparation of the draft chapters will be made.

Item 8. Decade of International Law

A report will be submitted containing proposals by the Secretariat on activities the Commission might undertake in the context of the decade of international law (A/CN.9/349).

Item 9. Electronic Data Interchange

The Commission, at its twenty-third session (1990), requested the Secretariat to submit a report to the twenty-fourth session, analyzing existing and proposed model communication agreements with a view to recommending whether a model agreement should be available for world-wide use and, if so, whether the Commission should undertake its preparation (A/45/17, para. 40). The requested report will be submitted to the Commission (A/CN.9/350).

Item 10. Incoterms 1990

A report will be submitted containing a request to the Commission by the International Chamber of Commerce that the Commission consider endorsing INCOTERMS 1990 (A/CN.9/348).

Item 11. Co-ordination of work

The General Assembly, in resolution 34/142, requested the Secretary-General to place before the Commission at each of its sessions a report on the activities of other organs and international organizations related to international trade law together with recommendations as to steps to be taken by the Commission.

The Commission will have before it a report as requested (A/CN.9/352). During the consideration of this agenda item by the Commission representatives of international organizations will have an opportunity to make statements concerning the activities of their respective organizations.

Item 12. Status of conventions

The Commission will have before it a note by the Secretariat (A/CN.9/353) concerning the present status of the Convention on the Limitation Period in the International Sale of Goods (New York, 1974); United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg); United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980); Protocol amending the Convention on the Limitation Period in the International Sale of Goods (Vienna, 1980); United Nations Convention on International Bills of Exchange and International Promissory Notes (New York, 1988); Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958); and the UNCITRAL Model Law on International Commercial Arbitration.

Item 13. Training and assistance

The Commission will have before it a note by the Secretariat on this subject (A/CN.9/351). Information will also be given in regard to the Fourth UNCITRAL Internatinal Trade Law Symposium, which will be held during the second week of the Commission session, 17 to 21 June, 1991.

Item 14. General Assembly resolutions on the work of the Commission

The Commission may wish to take note of General Assembly resolution 45/42 on the Report of the United Nations Commission on International Trade Law on the work of its twenty-third session. Copies of the resolution and the report of the Sixth Committee (A/45/736) will be made available at the session.

Item 15. Other business

An oral report will be given as to the results of the United Nations Conference on the Liability of Operators of Transport Terminals in International Trade.

The Commission will have before it a bibliography of recent writings related to the work of the Commission (A/CN.9/354).

Item 16. Date and place of future meetings

(a) Twenty-fifth session

The twenty-fifth session will be held in New York. Information regarding dates available for that session will be supplied by the Secretariat.

(b) Sessions of working groups

(i) Working Group on International Contract Practices

The 16th session of the Working Group will be held in Vienna from 4 to 15 November 1991. Information regarding dates available for the sessions in 1992 will be supplied by the Secretariat.

(ii) Working Group on the New International Economic Order

The thirteenth session of the Working Group will be held in New York, from 15 to 26 July 1991 and the fourteenth session in Vienna from 2 to 13 December 1991. Information regarding dates for the sessions in 1992 will be supplied by the Secretariat.

(iii) Working Group on International Payments

The twenty-third session of the Working Group has been scheduled for 3 to 13 September 1991. Information regarding dates for the sessions in 1992 will be supplied by the Secretariat.

Item 17. Adoption of the report of the Commission

The General Assembly, in paragraph 10 of resolution 2205 (XXI), decided that the Commission should submit an annual report to the General Assembly, and that the report should be submitted simultaneously to the United Nations Conference on Trade and Development for comments. Under a decision of the Sixth Committee (A/7408, paragraph 3), the report of the Commission is introduced to the General Assembly by the Chairman of the Commission or by another officer of the Bureau designated by him.

III. SCHEDULING OF MEETINGS

There will be 13 working days available for consideration of the agenda items (other than agenda item 17, adoption of the report) at the session. No meeting will be scheduled for Thursday, 27 June, to enable the Secretariat to prepare the draft report. Friday, 28 June, will be reserved for the adoption of the report.

Meeting hours will be from 9.30 to 12.30 and 14.00 to 17.00, except on Monday, 10 June, when the meeting will commence at 10.30.

The Secretariat would recommend that the agenda items be taken up in numerical order and that the Commission anticipate devoting the first two weeks of the session (after agenda items 1 to 3) to agenda item 4 (draft Model Law on International Credit Tranfers), with the possibility of spending additional time on Monday, Tuesday or Wednesday of the third week if necessary to complete the discussion and finalize the Model Law. Otherwise, agenda items 5 through 16 would be taken up on those days in the third week.

During the second week of the session, 17 to 21 June 1991, the Fourth UNCITRAL Symposium on International Trade Law will be held.